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09/865,665	05/25/2001	Harald Apfelthaler	KWO-17902/01	9896
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Ernest I. Gifford Suite 400 280 N. Woodward Avenue			EXAMINER	
			COZART, JERMIE E	
Birmingham, MI 48009			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. April Apri				70 T				
Examinar		Application No.	olicant(s)	(1)				
Jermis Cozart 3726	· ·	09/865,665	APFELTHALER	APFELTHALER, HARALD				
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions for merguly exhibits under the previous of £ CFR 1.136(b). In or event, however, may a reply be timely filled ### This period for reply septime under the previous of £ CFR 1.136(b). In or event, however, may a reply be timely filled ### This period for reply septime under the previous of £ CFR 1.136(b). In or event, however, may a reply be timely filled ### This period for reply septime under the previous of £ CFR 1.136(b). ### This period for reply septime to the state steerands period for reply with the statutory period will sept and will septime (S) (MONTH) for me laring date of this communication. ### Filled to reply septime to the state steerands period for reply will, by statutory period will sept and will septime (MONTH) for filled to reply within the set or extended period for reply will, by statutory period will sept and will septime the melting date of this communication to become ABANCONED (30 U.S.C. \$ 13.3). ### Responsive to communication(s) filed on	Office Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Esterations of time may be available under the growtience of 3° CFR 1.15(a). In ne event, however, may a reply be timely filled Esterations of time may be available under the growtience of 3° CFR 1.15(a). In ne event, however, may a reply be timely filled Esterations of time may be available under the growtience of 3° CFR 1.15(a). In ne event, however, may a reply be timely filled Esterations of time may be available under the growtience of 3° CFR 1.15(a). In ne event, however, may a reply be timely filled If the period for reply is pecified abover, the maximum statutory period will apply and will acque 5° IX (6) MONTHS from the mailing date of this communication. All the period for reply is pecified abover, the maximum statutory period will apply and will acque 5° IX (6) MONTHS from the mailing date of this communication. All the period for reply is pecified abover, the maximum statutory period will apply and will acque 5° IX (6) MONTHS from the mailing date of this communication. All the period of the		0 0171110 10 10 10 10 10 10 10 10 10 10 10 10						
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Application/Control Number: 09/865,665

Art Unit: 3726

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-14, drawn to a device for installing muntin bars, classified in class 29, subclass 700.
 - II. Claims 15-19, drawn to a method for installing muntin bars, classified in class 29, subclass 428.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions II and I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the apparatus can be used in a process for assembling awnings.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Ernest Gifford on February 5, 2003 to request an oral election to the above restriction requirement, but did not result in an election being made.



Application/Control Number: 09/865,665

Art Unit: 3726

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

- 5. Telephone inquiries regarding the status of applications or other general questions, by persons entitled to the information, should be directed to the group clerical personnel. In as much as the official records and applications are located in the clerical section of the examining groups, the clerical personnel can readily provide status information. M.P.E.P. 203.08. The Group clerical receptionist number is (703) 308-1148.
- 6. If in receiving this Office Action it is apparent to applicant that certain documents are missing, e.g., copies of references cited, form PTO-1449, form PTO-892, etc., requests for copies of such papers or other general questions should be directed to Tech Center 3700 Customer Service at (703) 306-5648, or fax (703) 872-9301 or by email to CustomerService3700@uspto.gov.
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermie Cozart whose telephone number is 703-305-0126. The examiner can normally be reached on Monday-Thursday, 7:30 am 6:00 pm.
- 8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich can be reached on 703-308-1513. The fax phone numbers for the organization where this application or proceeding is assigned are 703-

Application/Control Number: 09/865,665

Art Unit: 3726

872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

Other helpful telephone numbers are listed for applicant's benefit.

Allowed Files & Publication

(703) 308-6789 or (888) 786-0101

Assignment Branch
Certificates of Correction
Drawing Corrections/Draftsman

(703) 308-9723 (703) 305-8309 (703) 305-8404/8335 (703) 305-9285

Petitions/Special Programs
Terminal Disclaimers
PCT Help Desk

(703) 305-8408 (703) 305-3257

If the information desired is not provided above, or a number has been changed, please call the general information help line below.

Information Help line Internet PTO-Home Page 1-800-786-9199 http: www.uspto.gov

GREGORY VIDOVICH
PERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

February 8, 2003